

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA**

CHARLIE ROBINSON)
Plaintiff,)
)
v.) Case No. 25-CIV-215-R
)
LVNV FUNDING LLC)
Defendant.)

COMPLAINT AND DEMAND FOR JURY TRIAL

I. INTRODUCTION

1. This is an action for actual and statutory damages brought by Plaintiff Charlie Robinson, an individual consumer, against Defendant, LVNV Funding LLC, for violations of the Fair Debt Collection Practices Act, 15 U.S.C § 1692 *et seq.* (hereinafter “FDCPA”), which prohibits debt collectors from engaging in abusive, deceptive, and unfair debt collection practices.

II. JURISDICTION AND VENUE

2. Jurisdiction of this court arises under 15 U.S.C § 1692k(d) and 28 U.S.C § 1331.
3. Venue in this District is proper in that the Defendant transacts business in Oklahoma City, Oklahoma County, Oklahoma, and the conduct complained of occurred in Oklahoma City, Oklahoma.

III. PARTIES

4. Plaintiff is a natural person residing in Oklahoma City, Oklahoma County, Oklahoma.

5. Plaintiff is a consumer as defined by the Fair Debt Collection Practices Act, 15 U.S.C. §1692a(3).
6. Upon information and belief, Defendant is a South Carolina corporation with its registered agent for service of process as follows: Corporation Service Company, 10300 Greenbriar Place, Oklahoma City, OK 73159.
7. Defendant regularly attempts to collect consumers' debts alleged to be due to another.
8. Defendant is engaged in the collection of debt from consumers using the mail and telephone.
9. Defendant is a "debt collector" as defined by the FDCPA, 15 U.S.C § 1692a(6).

IV. FACTS OF THE COMPLAINT

10. On or about December 11, 2024, Plaintiff reviewed her credit report and observed that Defendant is attempting to collect a debt allegedly owed to Comenity Bank in the amount of \$294.59.
11. On December 11, 2024, Plaintiff sent a letter to Defendant stating, in pertinent part, "*I have no choice but to let you know that I am unwilling to pay any debt I owe to you or your client. Also update my credit reports cause I'm not disputing anymore,*" which informed Defendant of Plaintiff's refusal to pay pursuant to 15 U.S.C. § 1692c(c).

12. Plaintiff's letter was delivered to Defendant on December 20, 2024 via USPS certified mail.
13. Despite receipt of Plaintiff's correspondence indicating that she was unwilling to pay, Defendant continued collection efforts by forwarding correspondence to Plaintiff via Credit Control LLC on January 21, 2025 in an attempt to collect the debt.
14. Plaintiff has suffered actual damages as a result of the illegal debt collection activity by Defendant in the form of intrusion upon seclusion, emotional distress, mental anguish, personal embarrassment, loss of money with postage, loss of productive time, anger, anxiety, decreased ability to focus on tasks and frustration, amongst other negative emotions.

**V. FIRST CLAIM FOR RELIEF
15 U.S.C. §1692c(c)**

15. Plaintiff re-alleges and reincorporates all previous paragraphs as if fully set out herein.
16. Defendant's debt collection efforts violated the FDCPA, particularly §1692c(c) states:
 - (a) If a consumer notifies a debt collector in writing that the consumer refuses to pay a debt or that the consumer wishes the debt collector to cease further communication with the consumer, the debt collector shall not communicate further with the consumer with respect to such debt, except
 - (1) to advise the consumer that the debt collector's further efforts are being terminated;
 - (2) to notify the consumer that the debt collector or creditor may invoke specified remedies which are ordinarily invoked by such debt collector or creditor; or

(3) where applicable, to notify the consumer that the debt collector or creditor intends to invoke a specified remedy.

If such notice from the consumer is made by mail, notification shall be complete upon receipt.

17. Defendant's acts were done with intentional, willful, reckless, wanton and negligent disregard for Plaintiff's rights under the law and with the purpose of coercing Plaintiff to pay an alleged debt.
18. As a result of the above violations of the FDCPA, the Defendant is liable to Plaintiff for actual damages, statutory damages and costs.

VI. JURY DEMAND AND PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully demands a jury trial and requests that judgment be entered in favor of Plaintiff and against Defendant for:

- A. Judgment for the violations occurred for violating the FDCPA;
- B. Actual damages pursuant to 15 U.S.C § 1692k(a)(1);
- C. Statutory damages pursuant to 15 U.S.C § 1692k(a)(2);
- D. Costs and reasonable attorney fees pursuant to 15 U.S.C § 1692k(a)(3);
- E. For such other and further relief as the Court may deem just and proper.

Respectfully submitted,

Dated: February 19, 2025

By: s/ Tiffany Hill
Tiffany Hill, Esq. (OBA# 31332)
PO Box 5302
Edmond, OK 73083
(405) 456-9406
thlegalconsulting@gmail.com